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September 28, 2021

Via ECF and Email

Hon. Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: *U.S. v. Ricardo Fabian*
19 Cr. 566 (LTS)

Dear Judge Swain:

I apologize for the lateness of my response to your Honor's inquiry regarding the progress of Mr. Fabian's sentencing. I am writing this evening to respectfully request what I hope will be a final adjournment request.

This past weekend I received the Covid booster shot – yup – I am old enough! Unfortunately, I have been running a high fever for several days and my doctor says that once people have a reaction like this, it could take a week to recover. Truly, I am not myself. I had hoped to put the finishing touches on Mr. Fabian's sentencing submission this week; however, candidly, I am just not up to it.

Accordingly, I respectfully request that Mr. Fabian's sentencing be rescheduled to a date and time convenient to the Court in November or December or at such other time as would be convenient to your Honor.

Your Honor's consideration of counsel's request is very much appreciated.

Respectfully submitted,
Susan G. Kellman
Susan G. Kellman

cc: All counsel

Ricardo Fabian

Application granted. The sentencing hearing currently scheduled for October 13, 2021, at 2:00 p.m., is adjourned to December 7, 2021, at 10:00 a.m., in Courtroom 17C. DE#99 resolved.

SO ORDERED.

Dated: September 30, 2021

/s/ Laura Taylor Swain, Chief U.S.D.J.